

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

FILED
IN OPEN COURT

6 2022

UNITED STATES OF AMERICA

v.

MAX CHRISTIAN FREAR,

Defendant.

Case No. 1:22-CR-183

Count 1: 18 U.S.C. § 2252(a)(2) & (b)(1)
Receipt of Child Pornography

Count 2: 18 U.S.C. § 2232(a)
Destruction or Removal of Property to
Prevent Search or Seizure

Forfeiture Notice

INDICTMENT

October 2022 Term – at Alexandria, Virginia

COUNT ONE

(Receipt of Child Pornography)

THE GRAND JURY CHARGES THAT:

From at least on or about November 21, 2019, through on or about January 30, 2022, within the Eastern District of Virginia and elsewhere, the defendant, MAX CHRISTIAN FREAR, knowingly received and attempted to receive one or more visual depictions using a means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce, and which contained materials which had been so shipped and transported, by any means, including by computer; the production of such visual depictions involved the use of a minor engaging in sexually explicit conduct, and such visual depictions were of such conduct, namely: visual depictions of minors engaged in sexually explicit

conduct that FREAR received and attempted to receive via the internet using an Asus Laptop (S/N: B6N0AS147061238) with a Sandisk Ultra Solid State Drive (S/N: 184946801890).

(In violation of Title 18, United States Code, Section 2252(a)(2) & (b)(1).)

COUNT TWO

(Destruction or Removal of Property to Prevent Search or Seizure)

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 3, 2022, in Round Hill, Virginia, within the Eastern District of Virginia, the defendant, MAX CHRISTIAN FREAR, before and during the search for and seizure of property by persons authorized to make such search and seizure, did knowingly attempt to destroy, damage, waste, dispose of, and otherwise take action for the purpose of preventing and impairing the Government's lawful authority to take said property into its custody and control, said property being a Sandisk Ultra Solid State Drive, bearing Serial Number 184946801890.

(In violation of Title 18, United States Code, Section 2232(a).)

FORFEITURE NOTICE

THE GRAND JURY HEREBY FINDS PROBABLE CAUSE THAT:

1. Pursuant to Federal Rule of Criminal Procedure 32.2(a), the defendant, MAX CHRISTIAN FREAR, is hereby notified that, if convicted of the violation in Count One of this Indictment, FREAR shall forfeit to the United States the following property as part of the sentencing:

a. any matter which contains any visual depiction described in Title 18, U.S. Code, Sections 2251, 2251A, 2252, 2252A, 2252B, or 2260, which was produced, transported, mailed, shipped, or received in violation of Chapter 110 of Title 18 of the U.S. Code;

b. any property, real or personal, used or intended to be used to commit or to promote the commission of Count 1 of this Indictment, or any property traceable to such property; and

c. any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the commission of Count 1 of this Indictment.

(CONTINUED ON NEXT PAGE)

2. If any property that is subject to forfeiture above is not available, it is the intention of the United States to seek an order forfeiting substitute assets pursuant to Title 21, U.S. Code, Section 853(p) and Federal Rule of Criminal Procedure 32.2(e).

3. The property subject to forfeiture includes, but is not limited to, the following:

- a. Asus Laptop (S/N: B6N0AS147061238)
- b. Sandisk Ultra Solid State Drive (S/N: 184946801890)

(In accordance with Title 18, United States Code, Section 2253,
Title 21, United States Code, Section 853(p); and Fed. R. Crim P. 32.2.)

A TRUE BILL

Pursuant to the E-Government Act,,
The original of this page has been filed
under seal in the Clerk's Office

FOREPERSON

JESSICA D. ABER
UNITED STATES ATTORNEY

By: *Rachel L. Rothberg*
Rachel L. Rothberg
Special Assistant United States Attorney (LT)
Lauren Halper
Assistant United States Attorney